

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

MIKE SHALES, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	
	)	CIVIL ACTION
v.	)	
	)	NO. 14 C 2341
MERRYMAN EXCAVATION, INC.,	)	
an Illinois corporation, a/k/a MERRYMAN	)	JUDGE ROBERT W. GETTLEMAN
EXCAVATING, INC.,	)	
	)	
Defendant.	)	

**MOTION FOR ENTRY OF DEFAULT AND JUDGMENT**

NOW COME Plaintiffs, by their attorneys, and move for entry of judgment by default against Defendant, MERRYMAN EXCAVATION, INC., an Illinois corporation, a/k/a MERRYMAN EXCAVATING, INC., in the total amount of \$52,751.52, plus Plaintiffs' court costs and reasonable attorneys' fees in the amount of \$1,949.00.

On April 10, 2014, the Summons and Complaint was served on the Registered Agent (by tendering a copy of said documents to Steve Sommerville, CFO) at his place of business (a copy of the Summons and Affidavit of Service is attached hereto). Therefore, Defendant's answer was due on May 1, 2014. As Defendant has failed to timely answer the Complaint, Plaintiffs respectfully request entry of default and judgment.

/s/ Catherine M. Chapman

**CERTIFICATE OF SERVICE**

The undersigned, an attorney of record, hereby certifies that she electronically filed the foregoing document (Motion) with the Clerk of Court using the CM/ECF system, and further certifies that I have mailed the above-referenced document by United States Mail to the following non-CM/ECF participant on or before the hour of 5:00 p.m. this 11th day of September 2014:

Mr. Chris Noe, Registered Agent  
Merryman Excavation, Inc.  
1501 Lamb Road  
Woodstock, IL 60098

/s/ Catherine M. Chapman

Catherine M. Chapman  
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